

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Hercules Technology Growth Capital, Inc.,  
derivatively on behalf of Active Response Group,  
Inc.,

Plaintiff,  
-against-

Brad Powers, Leland H. Nolan, Jud Traphagen, Florin C. Vicol, and Bhavin Shah,

## Defendants.

GEORGE B. DANIELS, District Judge:

Defendants Leland H. Nolan and Florin C. Vicol's motion to dismiss Plaintiff's Amended Complaint is granted. Plaintiff is granted leave to move to file a proposed Second Amended Complaint.

Dated: August 13, 2010  
New York, New York

SO ORDERED;

George B. Daniels  
GEORGE B. DANIELS  
United States District Judge